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PTO/SB/33 (07/05)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)	
		ITL.1049US (P17703)	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR		Application Number	Filed
on <u>January 10, 2007</u>		10/713,380	November 14, 2003
Signature <u>Cynthia L. Hayden</u>		First Named Inventor	
Typed or printed name <u>Cynthia L. Hayden</u>		Xin M. Wu	
		Art Unit	Examiner
		2828	Tod Thomas Van Roy
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.			
This request is being filed with a notice of appeal.			
The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.			
I am the			
<input type="checkbox"/> applicant/inventor.		Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		Timothy N. Trop	
<input checked="" type="checkbox"/> attorney or agent of record.		Typed or printed name	
Registration number <u>28,994</u>		(713) 468-8880	
		Telephone number	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34.		January 10, 2007	
Registration number if acting under 37 CFR 1.34 _____		Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			

☒ *Total of 1 forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:	Xin M. Wu et al.	§	Art Unit:	2828
Serial No.:	10/713,380	§	Examiner:	Tod Thomas Van Roy
Filed:	November 14, 2003	§	Docket:	ITL.1049US P17703
For:	Laser Driver for Optical Communication Network	§	Assignee:	Intel Corporation

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT IN SUPPORT OF
PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Sir:

Reconsideration of the rejection of claim 22 is respectfully requested. No basis for the rejection was ever put forward and, therefore, it is very difficult to respond. However, the resistances R5 and R6 are not coupled as a voltage divider. Moreover, the proposition that because of the resistance of R4 in a different embodiment something can be deduced about the resistances of R5 and R6 should be reconsidered. It is not seen how there is any basis for such an assertion.

With respect to claim 23, the claim calls for coupling the gate of a transistor to a node between the first and second resistances. This limitation does not appear to be addressed. The transistor is asserted to be the transistor 74 and it does not appear that the gate of the transistor 74 is coupled to a node between the first and second resistances, if those are asserted to be R5 and R6. There is a node that is coupled to one end of the resistor R6, but there would appear to be no basis to suggest that node is between both of the resistances R5 and R6.

Date of Deposit: January 10, 2007

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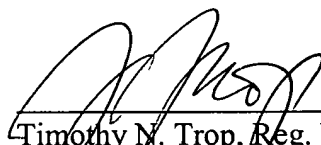
Cynthia U. Hayden
Cynthia U. Hayden

Claim 12 calls for the resistances coupled as a voltage divider. This limitation was not addressed and, therefore, it is difficult to respond to. But there appears to be no basis for any assertion that Figure 10 of the reference teaches such an arrangement. The same can be said with respect to claim 17.

Note that the new Section 112 rejection, mentioned for the first time in the advisory action, is improper and is not of record, since only the final rejection is of record, as no new final rejection was set out.

Respectfully submitted,

Date: January 10, 2007



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